

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 561 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-10.3-7-4.8 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2007]: **Sec. 4.8. (a) As used in this section,**
- 6 **"state quasi-governmental entity service" means service in Indiana**
- 7 **that would be considered creditable service if performed by an**
- 8 **employee of a member of the fund by an individual who:**
- 9 **(1) provided the service as an employee of a body corporate**
- 10 **and politic, nonprofit corporation established by the state, or**
- 11 **other quasi-governmental entity that performed a state**
- 12 **governmental function; and**
- 13 **(2) was not a member of the fund under section 1 of this**
- 14 **chapter during the period of employment.**
- 15 **(b) A member may purchase state quasi-governmental entity**
- 16 **service credit subject to the following:**
- 17 **(1) The member must have at least one (1) year of credited**
- 18 **service in the fund.**
- 19 **(2) The member must have at least ten (10) years of in-state**
- 20 **credited service before the member may claim the service**
- 21 **credit.**
- 22 **(3) Before the member retires, the member must make**
- 23 **contributions to the fund:**
- 24 **(A) that are equal to the product of:**

(i) the member's salary at the time the member actually makes a contribution for the service credit;

(ii) a percentage rate, as determined by the actuary of the fund, based on the age of the member at the time the member makes a contribution for service credit and computed to result in a contribution amount that approximates the actuarial present value of the benefit attributable to the service credit purchased; and

(iii) the number of years of state quasi-governmental entity service the member intends to purchase; and

(B) for any accrued interest, at a rate determined by the actuary of the fund, for the period from the member's initial membership in the fund to the date payment is made by the member.

(4) The member must provide verification of the service with the state quasi-governmental entity in a manner prescribed by the fund.

(c) State quasi-governmental entity service that qualifies a member for retirement in a private retirement system or a federal retirement system may not be granted under this section.

(d) A member who:

(1) terminates employment before satisfying the eligibility requirements necessary to receive a monthly allowance; or

(2) receives a monthly allowance for the same service from another tax supported public employee retirement plan other than under the federal Social Security Act;

may withdraw the personal contributions made under the contributory plan plus accumulated interest after submitting to the fund a properly completed application for a refund.

(e) The following apply to the purchase of service credit under this section:

(1) The board may allow a member to make periodic payments of the contributions required for the purchase of the service credit. The board shall determine the length of the period during which the payments must be made.

(2) The board may deny an application for the purchase of service credit if the purchase would exceed the limitations under Section 415 of the Internal Revenue Code.

(3) A member may not claim the service credit for purposes of determining eligibility or computing benefits unless the member has made all payments required for the purchase of the service credit.

SECTION 2. IC 5-10.3-11-4.7, AS AMENDED BY P.L.28-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4.7. (a) In addition to the amounts distributed under sections 4 and 4.5 of this chapter, each year the state board shall distribute from the pension relief fund to each unit of local government

- 1 an amount determined under the following STEPS:
 - 2 STEP ONE: Determine the amount of the total pension payments
 - 3 to be made by the unit in the calendar year, as estimated by the
 - 4 state board under section 4 of this chapter.
 - 5 STEP TWO: Determine the result of:
 - 6 (A) the STEP ONE result; multiplied by
 - 7 (B) fifty percent (50%).
 - 8 STEP THREE: Determine the amount to be distributed in the
 - 9 current calendar year to the unit of local government under
 - 10 section 4 of this chapter.
 - 11 STEP FOUR: Determine the greater of zero (0) or the result of:
 - 12 (A) the STEP TWO result; minus
 - 13 (B) the STEP THREE result.
 - 14 (b) The state board shall make the distributions under subsection (a)
 - 15 in two (2) equal installments before July 1 and before October 2 of
 - 16 each year.
 - 17 (c) This section expires January 1, ~~2009~~ **2011**."
 - 18 Renumber all SECTIONS consecutively.
- (Reference is to ESB 561 as printed April 6, 2007.)

Representative Moses